

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARK BREAKIRON,
Petitioner,

v.

CIVIL ACTION NO. 00-300

MARTIN HORN, Commissioner,
Pennsylvania Department of Corrections,
CONNER BLAINE, Superintendent of the
State Correctional Institution at Greene,
JOSEPH P. MAZURKIEWICZ,
Superintendent of the State Correctional
Institution at Rockview,
Respondents.

Judge Thomas M. Hardiman

ORDER

AND NOW, this 28th day of February 2006, it is hereby ORDERED that Petitioner's Motion for Summary Judgment as to Claims 3 and 1 (doc. 82) is DISMISSED WITHOUT PREJUDICE. It is further ORDERED that this court's December 20, 2005 Order (doc. 95) directing that discovery must be completed by February 28, 2006 is VACATED.



Thomas M. Hardiman
United States District Court Judge
Western District of Pennsylvania

cc: All parties of record